

0. THE TRIAL - Story Preface

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Trial for the kidnap and murder of Grace Budd took place in White Plains, New York. There could be only one defense: Insanity.

Throughout the trial, the prosecution fought that defense theory. Staying away from facts about the ultimate outrage, Gallagher tried to convince the jury Fish was sane:

- He knew right from wrong.
- He murdered Gracie in cold blood.
- He planned it.
- He pre-selected the place where he would do it.
- He had flat-out lied to her parents.
- He was evil, but he was sane.

Dempsey had *one* issue that MIGHT convince the jury his client was utterly and hopelessly insane. To make his case, he HAD to talk about the ultimate outrage. Only an insane person would engage in acts of cannibalism.

Dr. Fredric Wertham, a noted and influential psychiatrist who had spent more time with Fish than anyone else, was Dempsey's only hope. If convicted, Fish would be given the mandatory sentence: Death in Sing Sing's electric chair.

Dr. Wertham testified:

This defendant is suffering from a mental disease. He is so mixed up about the question of punishment, of sin, of atonement, of religion, of torture that he is in a particularly bad state to know the difference between right and wrong. He is even worse off than that, because he actually has a perverted, a distorted, if you will, an insane, knowledge of right and wrong.

James Dempsey knew he had little chance to save his client's life. His final argument was filled with passion:

In the course of human nature ten of you twelve men will die in full possession of your reason and memory. When that hour comes, when the blood begins to congeal and the breath to fail, when death snaps one by one the strings of life, when you look back to the past and forward to judgment, remember Albert Fish, that when he was helpless and defenseless and pleaded with you for his life, that you said, 'Let him live,' or 'Let him die,' and if you said 'Let him die,' may He who breathed into your nostrils the breath of life judge you more mercifully than you judged this maniac.

It wasn't enough to save Fish. John Partelow, the jury foreman, read the verdict:

We find the defendant guilty as charged in the indictment.

One juror told news reporters that most of the panel thought Fish was insane. Even so, they thought he should meet his end in the electric chair.

Sing Sing prison was Albert Fish's next stop. He wouldn't be there long.

See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/THE-TRIAL-Hannibal-Lecter-and-Albert-Fish>

See Learning Tasks for this story online at:

<http://www.awesomestories.com/asset/AcademicActivities/THE-TRIAL-Hannibal-Lecter-and-Albert-Fish>

Media Stream



Albert Fish - At the Trial

Image online, courtesy Murderpedia.

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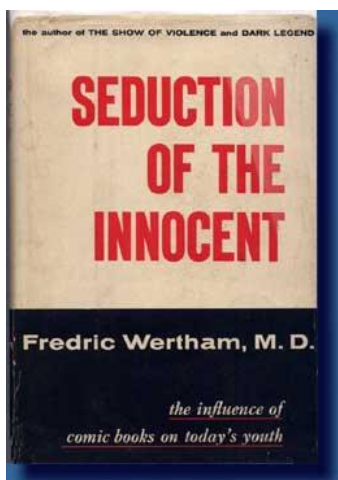


Dr. Frederic Wertham

Photo of Frederic Wertham online, courtesy Wikimedia Commons.

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Seduction of the Innocent - by Dr. Fredric Wertham, M.D.

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